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In re Application of:
Micheal L. Gruenberg
Serial No.: 08/700,565
Filed: July 25, 1996
Attorney Docket No.: 6870-500B

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicant's petition under 37 CFR § 1.181(a) filed on December 21, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed May 26, 2004.

A review of the file history shows that the examiner mailed an Office action to applicants on May 26, 2004, setting a one-month statutory time period for reply. On December 2, 2004, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicant states that a response to the Office action was timely filed on November 24, 2004 as evidenced by a copy of the USPTO date-stamped receipt card and the Express Mail receipt. A copy of the response is also provided. In view of this evidence, applicant is considered to have submitted a timely reply.

Applicant's petition is **GRANTED**. The application is restored to pending status with the mailing date of this decision and will be forwarded to the examiner for consideration of the response of November 24, 2004.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Jasemine C. Chambers
Director, Technology Center 1600